

fund, or out of the first moneys which shall come into the treasury belonging to said fund, not already appropriated, for the building of a substantial bridge across the Chippewa river on the line between sections twenty-two and twenty three, town one hundred and thirty, and range thirty-nine, on mail road from Brandon to Otter Tail City, and to assist in repairing the approaches to said bridge, and said bridge when built shall be kept in repair by the town in which it is built, and shall be forever free from toll.

SEC. 2. That said bridge shall be built under the direction of John A. Miller, Martin Stowe and T. C. Nichols, of Douglas county, who are hereby appointed commissioners for that purpose, and no part of said appropriation shall be paid out of the state treasury until said bridge shall be completed and ready for travel.

SEC. 3. Thos. [That] L. K. Acker, Robert Angus and Samuel Thompson, of Douglas county, are hereby appointed a committee on the part of the state to view said bridge and examine all contracts and vouchers and accounts, respecting its construction and cost thereof, and make a report of such cost to the state auditor, and any two of said committee may act in the premises.

SEC. 4. That upon the receipt of said report by the state auditor he shall, upon the demand of said commissioners, draw his order or orders in favor of said commissioners on the state treasurer for money belonging to the said fund for the cost of said bridge as reported by said committee, in case the same does not exceed the sum of two hundred dollars, and any sum over that amount shall be paid by the town in which said bridge is built, and the state treasurer shall pay over such money to said commissioners to pay the cost of said bridge and improvement.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 9, 1874.

CHAPTER CLXVI.

AN ACT TO PROVIDE FOR LAYING OUT A STATE ROAD FROM PARKER'S PRAIRIE, IN OTTER TAIL COUNTY, TO WADENA, IN WADENA COUNTY, AND TO APPROPRIATE MONEY FOR THE SAME.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That David Turner and G. A. Linquist of Otter Tail county and S. S. Gardner of the county of Wadena, in the state of Minnesota, are hereby appointed commissioners to survey, locate and establish a state road, from some point to be selected by them in the town of Parker's Prairie in the county of Otter Tail, and state aforesaid, running thence through the counties of Otter Tail, Todd and Wadena; *Provided*, That the owners of the land lying between Parker's Prairie township in the county of Otter Tail and Wadena in the county of Wadena, shall file with the county auditors of the county auditors of the counties Otter Tail, Todd and Wadena a release of the right of way for said road over said land; *And Provided further*, That the counties of Otter Tail, Todd, Wadena shall not be liable for any expense for right of way.

SEC. 2. That said commissioners shall meet at such time and place convenient to them, as they may select, and proceed to discharge the duties imposed upon them by this act; *Provided*, That if either of said commissioners shall be unable to discharge the duties aforesaid the others shall have the power to substitute some person to act in his place, and such action by such substitute shall have the same effect as if he were appointed commissioner by this act:

SEC. 3. That said commissioners are hereby authorized to employ a surveyor, axeman and chainman, and it shall be their duty, to cause said road to be accurately surveyed and platted, and file a copy thereof in the office of the county auditor of each county through or into which said road may pass, to assess the damages and to secure a release of the right of way to said road.

SEC. 4. That the expenses of viewing, locating said road shall be paid by said counties according to the distance of said road located in the counties respectively. *Provided*, That said commissioners shall not receive more than three dollars per day, and the axeman and chainman not more than one dollar and fifty cents per day each.

SEC. 5. The said commissioners shall at the time of locating the said road appraise the damages or compensation to be paid to each person through whose land the same shall pass, and shall file in the office of the county auditor of each county a statement of such appraisals of damages for lands therein taken for said road at the time when they shall file the survey and plats of the same in said auditor's office, and upon the filing of said survey, plats and appraisals in the offices of said county auditors, the said road shall be deemed established, and said damages or compensation shall be deemed secured and the amount of such appraisal in each county shall be levied upon the taxable property of said county and be entered and extended on the tax roll thereof next

thereafter to be made, and the amount of each appraisal shall be paid to the person or persons entitled thereto.

SEC. 6. Any person deeming himself or herself aggrieved by such appraisal of his or her compensation may appeal therefrom to the district court of the county in which such lands are situated by serving a notice of such appeal upon the county attorney of said county and filing in the office of the county auditor of said county a copy of said notice of appeal with proof of service thereof on the county attorney. The county auditor shall certify a copy of the appraisal appealed from the district court within ten days after filing the notice of appeal in his office. Such appeal shall be taken within thirty days after the filing of the appraisal in the office of the county auditor.

SEC. 7. There is hereby appropriated out of the internal improvement fund the sum of seven hundred dollars, to assist the county of Otter Tail in building the bridge across the forks of Wings Rivers in said county.

SEC. 8. The money appropriated by this act shall be expended by the said commissioners in the erection and completion of a bridge across each and both of the forks of Wing River on the line of said proposed road in the county of Otter Tail; *Provided*, That if any of the said sum of seven hundred dollars remains after the erection and completion of said bridges, the same shall be expended on said road in such manner and at such place as said commissioners shall direct.

SEC. 9. That James Kasson and H. L. Veils [Veits,] of Otter Tail county, and S. L. Pratt of Wadena county, are hereby appointed a committee on the part of the state to examine all contracts, vouchers and accounts respecting the expenditure of said money, and make report of the same to the state auditor, any two of said committee shall have power to act in the premises.

SEC. 10. Upon the receipt of said report of the state auditor he shall upon demand of the said committee draw his warrant or warrants in favor of said committee upon the state treasurer for the expense of building bridges aforesaid, not to exceed the sum of seven hundred dollars.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 9, 1874.